

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JOSE ALFREDO EK-POOT, ESTEBAN  
DEJESUS HUERTA ROCHA, and  
RICARDO JIMINEZ-NOVENO,

Defendants.

**4:22CR3003**

**ORDER**

Defendants Ek-Poot and Rocha have moved to continue the pretrial motion deadline and trial date, (Filing Nos. 41 and 42), because Defendant and defense counsel need additional time to fully review the discovery received before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendants' motions to continue, (Filing Nos. 41 and 42), are granted.
- 2) As to all defendants, pretrial motions and briefs shall be filed on or before March 28, 2022
- 3) As to all defendants, trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on May 31, 2022, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

- 4) The ends of justice served by granting the motions to continue outweigh the interests of the public and the defendants in a speedy trial, and as to all defendants, the additional time arising as a result of the granting of the motion, the time between today's date and May 31, 2022 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 23rd day of February, 2022.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge